

Claim 13, line 6, delete the comma after "promoter" and in line 8 insert a comma -- , -- after "promoter" so that it reads "promoter, and a structural".

**Please add new Claims 19-24**

Claim 19. A seed produced by the plant of claim 16.

Claim 20. The seed of claim 19 in which the promoter is the CaMV(35S) promoter.

Claim 21. The seed of claim 20 in which the promoter is the CaMV(19S) promoter.

Claim 22. The chimeric gene of claim 4 in which the structural gene encodes for neomycin phosphotransferase.

Claim 23. The chimeric gene of claim 22 comprising in sequence in the 5' to 3' direction:

- (1) the CaMV(35S) promoter,
- (2) a structural sequence encoding neomycin phosphotransferase II,  
and
- (3) a 3' non-translated polyadenylation sequence of nopaline synthase.

Claim 24. The chimeric gene of claim 22 comprising in sequence in the 5' to 3' direction:

- (1) the CaMV(19S) promoter,
- (2) a structural sequence encoding neomycin phosphotransferase II,  
and
- (3) a 3' non-translated polyadenylation sequence of nopaline synthase.

**Remarks**

Claims 4, 7, 10 and 13, as amended, insert a comma before the phrase "and a structural sequence" as suggested by the Examiner. Accordingly, the rejection under 35 USC §112 as being indefinite is believed to be obviated.

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